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Peacebuilding and sustaining peace

Elimination of racism, racial discrimination, xenophobia and related intolerance

The rule of law at the national and international levels

Security Council
Seventy-third year

Letter dated 5 November 2018 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

Upon instructions from my Government and pursuant to my letters dated 11 May 2018 (A/72/869–S/2018/453), 3 January 2018 (S/2018/8), 13 October 2017 (S/2017/862) and 28 August 2017 (S/2017/739) regarding the continuous violations of Security Council resolution 2231 (2015) and the Joint Comprehensive Plan of Action (JCPOA) by the United States of America, I have the honour to bring to your attention the following:

On 6 August 2018, the President of the United States issued Executive Order 13846 "re-imposing certain sanctions with respect to Iran" and ordered most of those sanctions to come into effect on 5 November 2018. They are the same sanctions that the United States lifted on 16 January 2016 consistent with Security Council resolution 2231 (2015) and committed to "refrain from re-introducing or re-imposing" them. It shall be recalled that the JCPOA in its paragraph 26 provided for Iran to "treat such a re-introduction or re-imposition of the sanctions ... as grounds to cease performing its commitments" under the JCPOA in whole or in part.

The Islamic Republic of Iran, however, scrupulously fulfilled its nuclear-related commitments under the JCPOA, as has been repeatedly and consistently verified by the consecutive reports of the International Atomic Energy Agency (IAEA) — the latest of which was issued on 30 August 2018 (S/2018/835).

The United States most recent unilateral acts and sanctions brazenly and boldly disregard paragraphs 1, 2 and 10 of Security Council resolution 2231 (2015), flagrantly violate paragraphs 21, 22, 26, 27, 28, 29, 30, 32 and 33 of its annex A and deliberately flout paragraphs 2, 4, 5 and 6 of its annex B. These sanctions, as well as its previous reckless acts, are specifically designed "to directly and adversely affect economic relations with Iran" by intimidating third parties and pressuring other States to abide by its political aspirations. The United States not only blatantly defies

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Security Council resolution 2231 (2015), but also audaciously coerces other States to violate the resolution that all States "are obligated under Article 25 of the Charter of the United Nations to accept and carry out".

Those sanctions are illegal and run counter to the well-established principles as enshrined in the Charter of the United Nations and as accepted by the community of nations, such as the sovereign equality of States, non-intervention and non-interference in internal affairs of Member States and freedom of international trade and navigation.

The United States unilateral coercive measures, in particular those with extraterritorial application, invoke discrimination against civilians on the basis of the country of residence, or nationality. They are in violation of, inter alia, article 26 of the International Covenant on Civil and Political Rights and articles 1 and 2 of the International Convention on the Elimination of All Forms of Racial Discrimination.

In addition, the United States sanctions are contrary to the provisional measures that were ordered by the International Court of Justice on 3 October 2018 (S/2018/899, annex), inter alia, to alleviate their serious detrimental impacts on the health and lives of individuals. The implementation of the recent set of sanctions by the United States on 5 November 2018 would certainly lie within the scope of prohibited acts with an aggravating effect and the sanctions would be categorized as illegal wrongful acts contrary to the Court's dictum. It shall be recalled that the United States, as the party imposing unilateral sanctions against Iran, is under a mandatory obligation to refrain from any action that might aggravate or extend the dispute before the Court or make it difficult to solve.

The irresponsible conduct of the United States necessitates a collective response by the international community in order to uphold the rule of law, to prevent the undermining of diplomacy and to protect multilateralism. The United Nations and its Member States, in accordance with the Charter of the United Nations and international law, should resist these wrongful acts and hold the United States accountable for such acts. It shall be reiterated that the Security Council, in resolution 2231 (2015), which was adopted unanimously, called upon all Member States, regional organizations and international organizations to support the implementation of the JCPOA and to refrain from actions that undermine it.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 66, 72 and 86, and of the Security Council.

(*Signed*) Gholamali **Khoshroo**
Ambassador
Permanent Representative